



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

APR 15 2015

REPLY TO THE ATTENTION OF:

**CERTIFIED MAIL 7009 1680 0000 7677 9135**  
**RETURN RECEIPT REQUESTED**

Mr. Chris Vesperman  
Process Engineer  
Bergquist Company  
1600 Orrin Road  
Prescott, Wisconsin 54021

Re: Notice of Violation  
Compliance Evaluation Inspection  
WID 982 211 062

Dear Mr. Vesperman:

On February 10, 2015 a representative of the U.S. Environmental Protection Agency inspected the Bergquist Company facility located in Prescott, Wisconsin (Bergquist). As a large quantity generator of hazardous waste, Bergquist is subject to the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 *et seq.* (RCRA). The purpose of the inspection was to evaluate Bergquist's compliance with certain provisions of RCRA and its implementing regulations related to the generation, treatment and storage of hazardous waste. A copy of the inspection report is enclosed for your reference.

Based on information provided by Bergquist, EPA's review of records pertaining to Bergquist, and the inspector's observations, EPA has determined that Bergquist had violated a RCRA requirement related to universal waste as described in paragraph 1, below.

1. Universal Waste Requirement

Under WAC § NR 673.13(4)(a) [40 CFR § 273.13(d)(1)], a small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage and compatible with the contents of the lamps. The containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions. Also, under WAC § NR 673.14(5) [40 CFR § 273.14(e)], each lamp or a container or package in which the lamps are contained must be labeled or marked clearly with the phrase "Universal Waste-Lamps", "Waste Lamps" or "Used Lamps".

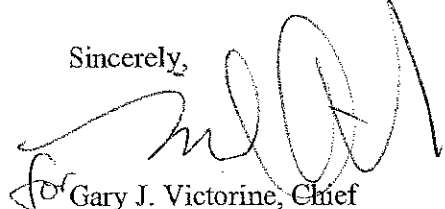
Bergquist is a small quantity handler of universal waste because it does not accumulate more than 5,000 kilograms (11,025 pounds) of universal waste at any time.



At the time of the inspection, several universal waste lamps were not containerized, a container of used lamps was not closed, and was not labeled with the phrase "Universal Waste-Lamps," "Waste Lamps" or "Used Lamps," see photograph number 3. On February 10, 2015, you sent an e-mail to EPA with a photograph of the properly containerized, labeled and closed container of universal waste lamps. U.S. EPA considers this violation resolved.

If you have any questions regarding this letter, please contact Mr. Walt Francis, of my staff, at 312-353-4921 or at [francis.walt@epa.gov](mailto:francis.walt@epa.gov).

Sincerely,

  
for Gary J. Victorine, Chief  
RCRA Branch

Enclosure

cc: Troy Gansluckner, WDNR-Eau Claire Office  
([troy.gansluckner@wisconsin.gov](mailto:troy.gansluckner@wisconsin.gov))  
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